

November 22, 1999

Harry T. Stewart, P.E., Director
Water Division
New Hampshire Department of Environmental Services
P.O. Box 95
Concord, NH 03302-0095

SUBJECT: Notification of Approval of Salmon Falls River TMDLs.

Dear Mr. Stewart:

Thank you for your submittal letter of October 18, 1999 requesting EPA final approval of the Total Maximum Daily Loads (TMDLs) for the Salmon Falls River summarized in **Table 12, Revised: Phased TMDL for the Salmon Falls River**. This waterbody is included on New Hampshire's 1998 303(d) list as a high priority for TMDL development to address water quality violations due to dissolved oxygen and algal blooms. This waterbody also forms a portion of the boundary between the States of New Hampshire and Maine. Approval of these TMDLs would fulfill New Hampshire's obligation for TMDL development for the Salmon Falls (File #85 on Tier 3 of New Hampshire's 1998 303(d) list).

On the date of this letter, the U.S. Environmental Protection Agency (EPA) is approving the Salmon Falls/Piscataqua River TMDLs, received by EPA from Maine on May 25, 1999, with a re-submittal memo dated October 13, 1999. EPA has determined that the Salmon Falls River TMDLs meet the requirements of §303(d) of the Clean Water Act (CWA), and of EPA's implementing regulations (40 CFR Part 130) for both Maine and New Hampshire.

The submittal from Maine includes all the required elements of a TMDL, including:

- loading capacity, - load allocations - seasonal variation
- waste load allocations, - margin of safety - public participation process.

The submittal also includes other pertinent information necessary for EPA to conduct its review:

- submittal letter - analytical method used and analysis documentation
- applicable state water quality standards - future monitoring plans.
- description of pollutant sources

The Maine DEP issued public notice of the February 10, 1999 hearing via publication in both New Hampshire and Maine newspapers, and in a letter to interested parties (e.g., municipalities,

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wastewater treatment plant operators, dam operators, state and federal agencies) dated January 12, 1999. Maine DEP sent copies of the draft TMDLs and Use Attainability Analysis document to interested parties with a cover letter dated January 25, 1999. Maine considered public comments in development of the Salmon Falls River TMDLs and Use Attainability Analysis, and provided responses to public comment in the May 1999 report.

My staff and I look forward to continued support from the States of New Hampshire and Maine in permit issuance using the recommended wasteload allocations during FY 2000, pursuit of dam operational changes, and initiation of an assessment of appropriate ways to address nonpoint source pollution.

Sincerely,

Linda M. Murphy, Director
Office of Ecosystem Protection

Enclosure: Decision Document with revised tables attached.

cc: Paul Currier, NH DES
Greg Comstock, NH DES
Martha Kirkpatrick, ME DEP
David Courtmanch, ME DEP
Paul Mitnik, ME DEP

Concurrence Routing of Salmon Falls TMDL approval package:

Jennie Bridge

Denny Dart

Mark Voorhees

Ann Williams, ORC

Steve Silva

Carl DeLoi

Ron Manfredonia

Ann Herrick for final date

Linda Murphy for signature

In-house distribution of signed package:

Jennie Bridge

Stephen Silva

Ann Williams

Mark Voorhees

Bill Beckwith

Carl DeLoi

Denny Dart

Dave Cochrane

John Paul King

Alison Simcox